

NOTICE OF OBJECTION TO CONFIRMATION

U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT has filed papers with the Court to object to the Confirmation of the Chapter 13 Plan.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to object to the Confirmation of the Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

1. File with the Court an answer, explaining your position at:

**Clerk  
U.S. Bankruptcy Court  
402 E. State Street  
Trenton, NJ 08608**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054

ALBERT RUSSO, Trustee  
1 AAA DRIVE, SUITE 101  
ROBBINSVILLE, NJ 08691

2. Attend the hearing scheduled to be held on 03/15/2017 in the TRENTON Bankruptcy Court, at the following address:

**U.S. Bankruptcy Court  
402 E. State Street  
Trenton, NJ 08608**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: March 14, 2017

/s/ Nicholas V. Rogers  
Nicholas V. Rogers, Esq.  
Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100

Mt. Laurel, NJ 08054  
Tel: 856-813-5500 Ext. 42689  
Fax: 856-813-5501  
Email: [nicholas.rogers@phelanhallinan.com](mailto:nicholas.rogers@phelanhallinan.com)

**File No. 789978**

Phelan Hallinan Diamond & Jones, PC

400 Fellowship Road

Mt. Laurel, NJ 08054

856-813-5500

FAX Number 856-813-5501

U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, BY  
CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT

In Re:

JEREMI LEROY TRUEX

Debtor

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY  
TRENTON VICINAGE

Chapter 13

Case No. 17-10497 - CMG

Hearing Date: 03/15/2017

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT, the holder of a Mortgage on debtor residence located at 104 POLLY POD ROAD, WEST CREEK, NJ 08092 hereby objects to the Confirmation of the debtor proposed Chapter 13 Plan on the following grounds:

1. Secured Creditor is in the process of drafting and filing a Proof of Claim. The approximate arrears are \$191,411.94.
2. Debtor's plan proposes to fund the plan (at least partially) through a loan modification of the property securing Secured Creditor's claim by August 1, 2017.
3. Debtor's proposed plan is fully dependent on Secured Creditor offering a loan modification to cure arrears approximately in the amount of \$191,411.94. Debtor has demonstrated no independent, feasible means for curing arrears owed to Secured Creditor. Debtor hopes to be offered a loan modification and until that time, only nominal amounts will be paid toward the arrears. Secured Creditor objects to Debtor's plan as it is prejudicial and not feasible.
4. For the reasons stated above, and for any others that the Court deems fit to adopt, Secured Creditor respectfully object's to Debtor's plan.

WHEREFORE, U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT respectfully requests that the Confirmation of Debtor Plan be denied.

/s/ Nicholas V. Rogers

Nicholas V. Rogers, Esq.

Phelan Hallinan Diamond & Jones, PC

400 Fellowship Road, Suite 100

Mt. Laurel, NJ 08054

Tel: 856-813-5500 Ext. 42689

Fax: 856-813-5501

Email: [nicholas.rogers@phelanhallinan.com](mailto:nicholas.rogers@phelanhallinan.com)

Dated: March 14, 2017

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

789978  
PHELAN HALLINAN DIAMOND & JONES, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
856-813-5500  
Attorneys for U.S. BANK TRUST, N.A., AS TRUSTEE  
FOR LSF9 MASTER PARTICIPATION TRUST, BY  
CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN  
FACT

In Re:

JEREMI LEROY TRUEX

Case No: 17-10497 - CMG

Hearing Date: \_\_\_\_\_

Judge: CHRISTINE M. GRAVELLE

Chapter: 13

**CERTIFICATION OF SERVICE**

1. I, Kimberly Wilson:

☐ represent the \_\_\_\_\_ in the above-captioned matter.

☒ am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC, who represents U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT in the above captioned matter.

☐ am the \_\_\_\_\_ in the above case and am representing myself.

2. On March 14, 2017 I sent a copy of the following pleadings and/or documents to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: March 14, 2017

/s/ Kimberly Wilson  
Kimberly Wilson

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
JEREMI LEROY TRUEX 104 POLLY POD ROAD WEST CREEK, NJ 08092	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
JAVIER L. MERINO, Esquire 1 MEADOWLANDS PLAZA SUITE 200, ROOM 252 EAST RUTHERFORD, NJ 07073	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
ALBERT RUSSO, Trustee 1 AAA DRIVE, SUITE 101 ROBBINSVILLE, NJ 08691	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.